

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOAO BOCK TRANSACTION)
SYSTEMS, LLC,)
Plaintiff,)
v.) Civ. No. 12-1138-SLR
JACK HENRY & ASSOCIATES,)
INC.,)
Defendant.)

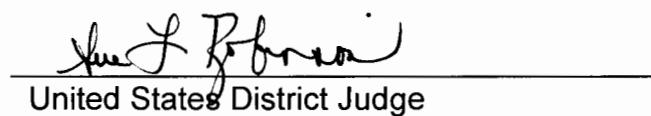
O R D E R

At Wilmington this 25th day of September, 2014, to follow up on the discovery conference conducted yesterday afternoon;

IT IS ORDERED that, given the differences between plaintiff's final infringement contentions and claim construction positions and its expert's report on infringement:

1. Defendant shall be permitted to supplement its rebuttal expert report on infringement. To the extent the parties cannot agree on the parameters of the supplementation, the court shall conduct a telephone conference on Wednesday, **October 1, 2014 at 3:00 p.m.**, with defendant's counsel initiating the call.
2. The issue raised by defendant regarding the contrast between plaintiff's claim construction positions and its expert's opinion shall be addressed through the summary judgment motion practice. Be mindful, however, that the purpose of undertaking claim construction at the close of fact discovery and before expert discovery is not to allow a

party to change its final infringement contentions (as the experts should be involved in the claim construction exercise), but to make sure that the parties need only address through expert discovery those limitations that fairly meet the court's constructions and that are consistent with the final infringement contentions.



United States District Judge